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PP RUEHBZ RUEHDU RUEHJO RUEHMR RUEHRN
DE RUEHSB #0533/01 1661101

ZNR UUUUU ZZH

P 151101Z JUN 07

FM AMEMBASSY HARARE

TO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PRIORITY

RUEHC/SECSTATE WASHDC PRIORITY 1602

INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

RUEHUJA/AMEMBASSY ABUJA 1630

RUEHAR/AMEMBASSY ACCRA 1497

RUEHDS/AMEMBASSY ADDIS ABABA 1634

RUEHBY/AMEMBASSY CANBERRA 0900

RUEHDK/AMEMBASSY DAKAR 1262

RUEHKM/AMEMBASSY KAMPALA 1690

RUEHNR/AMEMBASSY NAIROBI 4102

RUEHFR/AMEMBASSY PARIS 1459

RUEHRO/AMEMBASSY ROME 2120

RUEHBS/USEU BRUSSELS

RUEHGV/USMISSION GENEVA 0759

RHEHAAA/NSC WASHDC

RUCNDT/USMISSION USUN NEW YORK 1851

RHMFIASS/JOINT STAFF WASHDC

RUEHC/DEPT OF LABOR WASHDC

RUEATRS/DEPT OF TREASURY WASHDC

RHEFDIA/DIA WASHDC//DHO-7//

RUCPDOC/DEPT OF COMMERCE WASHDC

RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK//DOOC/ECMO/CC/DAO/DOB/DOI//

RUEPGBA/CDR USEUCOM INTEL VAIHINGEN GE//ECJ23-CH/ECJ5M//

UNCLAS SECTION 01 OF 02 HARARE 000533

SIPDIS

SENSITIVE

SIPDIS

AF/S FOR S. HILL

NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN

STATE PASS TO USAID FOR L.DOBINS AND E.LOKEN

TREASURY FOR J. RALYEAE AND T.RAND

COMMERCE FOR BECKY ERKUL

ADDIS ABABA FOR USAU

ADDIS ABABA FOR ACSS

E.O. 12958: N/A

TAGS: PGOV PHUM PREL ASEC ZI

SUBJECT: STATE CASE IN PETROL BOMB ATTACKS CONTINUES TO CRUMBLE

REF: HARARE 241

Summary

¶1. (SBU) The GOZ's case against 32 MDC activists accused of carrying out March 13 petrol bomb attacks continued to crumble last week as the state withdrew the charges against thirteen of the accused. MDC Election Coordinator Ian Makone, along with six others, was released on June 7 after spending more than 60 days behind bars. Twenty further activists accused in the case remain in state custody. According to the defense, the arrestees were beaten in custody and denied medical attention. End Summary

Court Frees Makone and Six Others

¶2. (SBU) On June 7, lower court Magistrate Gloria Takundwa ordered the release of Makone, Luke Tamborinyika and 11 other MDC activists who had been accused of carrying out petrol bomb attacks in Harare, Gweru, Mutare and Chitungwiza on March 13 (reftel). Magistrate Takundwa found that the GOZ had failed to provide sufficient evidence to sustain the charges. Of the thirteen, seven were immediately released. The other six face additional charges and remain in

detention. Among them is MDC MP for Glen View Paul Madzore, accused of receiving & training as a bandit, saboteur, terrorist or insurgent^s in South Africa. Lawyers for these six and 14 other remaining detainees have filed several court applications for their release. (Five other detainees had already been released quietly in past weeks.) Judgments on these applications are expected on June 18, 2007.

Physical Well-Being) Ongoing Concern

¶13. (SBU) Lawyers for the accused told pol assistant that all of the detainees had been beaten by state agents while in custody. All had subsequently requested medical attention, but only MDC deputy national organizing secretary Morgan Komichi was provided treatment; he was admitted to a private hospital where he is still being held under close prison guard.

Comment

¶14. (SBU) The GOZ's "fishing expedition" is beginning to work against it. The failure to present incriminating evidence indicates that the Government never had a case to begin with. It also lends credence to the defense's contention that the state itself carried out the attacks and then used them as a cover to harass and intimidate key opposition officials. There is some uncertainty about the exact number of detainees

HARARE 00000533 002 OF 002

and charges, as the case has been shrouded in confusion and uncertainty from the start. Nevertheless, local human rights attorneys are fairly confident that it will collapse in the Government's face.

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